

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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UNITEDHEALTHCARE OF NEW YORK, INC.,

and

OXFORD HEALTH INSURANCE, INC.,
Plaintiffs,

17 **CIVIL** 7694 (JGK)

-against-

JUDGMENT

LINDA A. LACEWELL, in her official capacity
As Superintendent of Financials Services of the
State of New York,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons
stated in the Court's Order dated September 24, 2020, Pursuant to the Court of Appeals'
Opinion and Judgment dated July 20, 2020 and Mandate dated September 10, 2020, the Court
hereby:

1. **GRANTS** summary judgment in favor of plaintiffs on their claims arising
under the Supremacy Clause of the United States Constitution;
2. **DECLARES** that Defendant's Emergency and Permanent 2017 Plan Year
Regulation and Plan Years 2018 and Thereafter Regulation, appearing as
Sections 361.9 and 361.10 of Part 361 of Title 11, NYCRR, violate the
Affordable Care Act and regulations thereunder, are preempted by federal
law, and are null and void and unenforceable;
3. **PERMANENTLY ENJOINS** Defendant, or those acting in concert with
Defendant, from enforcing or exercising the authority established by
Defendant's Emergency and Permanent 2017 Plan Year Regulation and

Plan Years 2018 and Thereafter Regulation; and

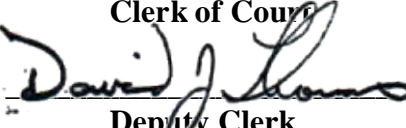
4. **DISMISSES** without prejudice all of Plaintiffs' remaining claims, arising under the Fifth and Fourteenth Amendment to the United States Constitution, as moot.

Dated: New York, New York
September 25, 2020

RUBY J. KRAJICK

Clerk of Court

BY:


Deputy Clerk